

Debra I. Grassgreen (CA Bar No. 169978)
Miriam Manning (CA Bar No. 178584)
PACHULSKI STANG ZIEHL & JONES LLP
150 California Street, 15th Floor
San Francisco, CA 94111
Telephone: (415) 263-7000
Facsimile: (415) 263-7010
E-mail: dgrassgreen@pszjlaw.com
mmanning@pszjlaw.com

David J. Bradford (admitted *pro hac vice*)
Terri L. Mascherin (admitted *pro hac vice*)
Catherine Steege (admitted *pro hac vice*)
Katharine R. Ciliberti (admitted *pro hac vice*)
JENNER & BLOCK LLP
353 N. Clark St.
Chicago, IL 60654
Telephone: (312) 222-9350
E-mail: dbradford@jenner.com
csteeg@jenner.com
tmascherin@jenner.com
kciliberti@jenner.com

Counsel for Uber Technologies, Inc.,

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

ANTHONY SCOTT LEVANDOWSKI,

Debtor.

Case No. 20-30242 (HLB)

Chapter 11

ANTHONY SCOTT LEVANDOWSKI, an
individual,

Adv. Pro. No. 20-03050 (HLB)

Plaintiff,

**JOINT STIPULATION FOR ORDER
REGARDING COMMON CONTROL &
DEPOSITIONS**

v.

UBER TECHNOLOGIES, INC.

Defendant.

Defendant Uber Technologies, Inc. (“Uber”), Plaintiff Anthony Levandowski (“Plaintiff” or
“Mr. Levandowski”), Intervenor Google LLC (“Google”), and non-party, Waymo LLC (“Waymo”),
by and through their respective counsel of record, hereby stipulate and agree as follows:

1 WHEREAS, Uber has noticed a Rule 30(b)(6) deposition of a corporate representative of
2 Waymo and a Rule 30(b)(6) deposition of a corporate representative of Google on a number of
3 topics, including whether Waymo and Google were under common control;

4 WHEREAS, Waymo and Google are willing to stipulate to certain facts related to the
5 common control question that, if established, would make it unnecessary to depose them on that
6 topic;

7 WHEREAS, Mr. Levandowski has agreed to stipulate that if they testified, the corporate
8 representatives of Google and Waymo would testify to these agreed facts and that a stipulation to that
9 effect may be submitted into evidence at trial in lieu of such testimony;

10 WHEREAS, Uber, Mr. Levandowski, and Google have met and conferred and enter into this
11 stipulation so as streamline both discovery and trial;

12 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed by and among Uber,
13 Google, Waymo, and Mr. Levandowski, that:

14 If called to testify, one or more competent Google corporate representatives and one or more
15 competent Waymo corporate representatives would testify that:

16 1) From its inception on August 5, 2016 to date, Waymo LLC (originally named Way
17 Autonomy LLC) has been a controlled subsidiary of Alphabet Inc.

18 2) From its inception until September 30, 2017, Waymo LLC was also a controlled
19 subsidiary of Google Inc. (which was renamed Google LLC on September 30, 2017 and is also a
20 controlled subsidiary of Alphabet Inc.).

21 3) On October 1, 2017, Waymo ceased to be a subsidiary of Google LLC and became a
22 sister company of Google LLC under the common control of Alphabet Inc.

23 4) Waymo LLC did not have any employees until Google LLC transferred Chauffeur-
24 related assets to Waymo LLC on January 1, 2017.

25 NOW THEREFORE, IT IS HEREBY AND FURTHER STIPULATED and agreed by and
26 between Uber, Google, and Mr. Levandowski that:
27
28

1 A) Subject to this Court's approval, this stipulation shall be admitted into evidence for the
2 purpose of establishing the facts set forth in the four numbered paragraphs above, and that Mr.
3 Levandowski agrees that he shall not dispute at trial the truthfulness of those facts;

4 B) In consideration of this stipulation, Uber will withdraw from its Rule 30(b)(6) notices
5 of Uber and of Waymo, the topics noticed as Number 1 in Uber's Rule 30(b)(6) notice to Waymo and
6 as Number 2 in Uber's Rule 30(b)(6) notice to Google.

7
8 Dated: January 28, 2021

PACHULSKI STANG ZIEHL & JONES LLP

9
10 By /s/ Debra I. Grassgreen
Debra I. Grassgreen
Miriam Manning

11 --and--

12 JENNER & BLOCK LLP
13 David J. Bradford
Catherine Steege
14 Terri L. Mascherin
Katharine R. Ciliberti

15 *Counsel for Uber Technologies, Inc.*

16
17 Dated: January 28, 2021

GOODWIN PROCTER LLP

18 By /s/Brett M. Schuman
19 Brett M. Schuman
Rachel M. Walsh
20 Hong-An Vu

21 *Counsel for Plaintiff and Debtor and Debtor in*
22 *Possession Anthony Levandowski*

23 Dated: January 28, 2021

MUNGER, TOLLES & OLSON LLP

24 By /s/ John W. Berry
25 John W. Berry

26 *Counsel for Google LLC.*

1 Dated: January 28, 2021

QUINN EMMANUEL URWUHART & SULLIVAN,
LLP

2
3 By /s/Jordan Jaffe
Jordan Jaffe

4 *Counsel for Waymo LLC.*
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28